

**REMARKS**

**INTRODUCTION:**

In accordance with the foregoing, claims 1, 3, 4, 9, 11, 12, and 27-27 have been amended. No new matter is being presented, and approval and entry of the foregoing amendments are respectfully requested.

Claims 1-30 and 32-34 are pending and under consideration. Reconsideration is requested.

**REJECTION UNDER 35 U.S.C. §102:**

In the Office Action at pages 2-3, the Examiner rejects claims 1, 3-5, 9-11, 15-20, 22, 25, 26, 29, 30, and 32-34 under 35 U.S.C. §102 in view of Lee (European Patent Publication 0 973 160 A1). This rejection is respectfully traversed and reconsideration is requested.

By way of review, Lee discloses a laser source 310 which projects a first light beam onto a hologram 330 and a light source 320 which projects a second light beam onto the hologram 330 at another angle. Light from the hologram 330 is received at the corresponding media 370, 372 via a beam splitter 340, collimating lens 350, and objective lens 360. As shown in Table 2 and disclosed in paragraphs 0022 through 0024, the etch depths *d* in the hologram 330 are between 1.4µm and 2.5µm. Further, Lee suggests that shallower etch depths are preferable and does not suggest depths beyond 2.5µm.

In contrast, claim 1 recites, among other features, "a hologram light coupler having a maximum pattern depth that is equal to or between 4,000 nm and 7,000 nm so as to separately guide the first and second light beams along a common optical path to the respective first and second recording media." As such, it is respectfully submitted that Lee does not disclose or suggest the invention of claim 1.

In addition and for reasons similar to how claim 12 distinguishes over Lee, it is respectfully submitted that Lee does not disclose or suggest, among other features, "a hologram pattern ... to diffract the second light beam incident at a non-perpendicular angle to the one surface and transmit 60% or more of the diffracted second light beam that travels along a second optical path parallel to the first optical path of the first light beam to define the common optical path" as recited in claim 3.

For at least similar reasons, it is respectfully submitted that Lee does not disclose or suggest the invention recited in claims 4, 11, and 26.

Further and for reasons similar to how claim 2 distinguishes over Lee, it is respectfully submitted that Lee does not disclose or suggest, among other features, "an objective lens

disposed on the common optical path to focus the selectively emitted first and second light beams on the respective first and second recording media, the objective lens having at least one region having a different aspheric curvature from an aspheric curvature of another section such that the first and second light beams are focused on the respective first and second recording media" as recited in claim 9.

Claims 5, 10, 15-20, 22, 25, 29, 30 and 32-34 are deemed patentable due at least to their depending from corresponding claims 1, 9, 11 and 26.

**STATUS OF CLAIMS NOT REJECTED:**

On page 3 of the Office Action, the Examiner objects to claims 2, 6-8, 12-14, 21, 23, 24, 27, and 28 for depending from rejected claims.

**CONCLUSION:**

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, it is respectfully submitted that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any additional fees associated with the filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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